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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 29, 2002

APPLICATION OF

UNITED SYSTEMS ACCESS TELECOM
OF VIRGINIA, INC.

CASE NO. PUC-2001-00256

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services

FINAL ORDER

On January 7, 2002, United Systems Access Telecom of Virginia, Inc. ("USA Telecom" or the "Company"), completed an application for certificates of public convenience and necessity with the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Company also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

By Order dated February 20, 2002, the Commission directed the Company to provide notice to the public of its application

Effective April 9, 2002, the new Case Management System requires that the case number format for all Commission orders change from, e.g., PUE010663 to the following: PUE-2001-00663.

and directed the Commission Staff to conduct an investigation and file a Staff Report.

On April 11, 2002, the Company filed a motion requesting the Commission to accept the untimely publication of notice¹ and proof of publication attached thereto. On April 17, 2002, USA Telecom filed an amendment to that motion with the proof of notice attached.

There were no comments, notices of participation, or requests for hearing filed in this proceeding.

On April 17, 2002, the Staff filed its Report finding that USA Telecom's application was in compliance with the Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules") and the Rules Governing the Certification of Interexchange Carriers ("IXC Rules"). Based upon its review of USA Telecom's application, the Staff determined it would be appropriate to grant the Company certificates to provide local exchange and interexchange telecommunications services subject to the following conditions: (1) should USA Telecom collect customer deposits, it shall establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank,

¹ Pursuant to the Commission's Order dated February 20, 2002, the publication of notice completed on March 20, 2002, was due to be completed by March 15, 2002. Comments and/or requests for hearing were due to be filed on or before March 29, 2002.

savings and loan association or savings bank, or credit union that is unaffiliated with the Company and shall notify the Division of Economics and Finance of the escrow arrangement and any subsequent change. Any escrow arrangement established pursuant to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary; and (2) the Company shall provide audited financial statements of its parent, United Systems Access, Inc., to the Division of Economics and Finance no later than one (1) year from the effective date of USA Telecom's initial tariff.

NOW THE COMMISSION, having considered the Company's motion and the amendment thereto, is of the opinion that USA Telecom's requests should be granted. We will, therefore, accept the Company's untimely publication of notice and proofs of publication and service.

After considering the application and the Staff Report, we find that the Company should be granted certificates to provide local exchange and interexchange telecommunications services. Having considered § 56-481.1, the Commission further finds that the Company may price its interexchange telecommunications services competitively.

Accordingly, IT IS ORDERED THAT:

(1) The above-referenced motion and amendment thereto is hereby granted.

(2) The Company's untimely notice of publication and proofs of publication and service are hereby accepted.

(3) USA Telecom is hereby granted a certificate of public convenience and necessity, No. TT-176A, to provide interexchange telecommunications services subject to the restrictions set forth in the Commission's Rules Governing the Certification of Interexchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(4) USA Telecom is hereby granted a certificate of public convenience and necessity, No. T-584, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Offering of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(5) Pursuant to § 56-481.1 of the Code of Virginia, the Company may price its interexchange telecommunications services competitively.

(6) The Company shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(7) Should USA Telecom collect customer deposits, it shall establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank, savings and loan association or savings bank, or credit union that is unaffiliated with the Company and shall notify the Division of Economics and Finance of the escrow arrangement and any subsequent change. Any escrow arrangement established pursuant to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary.

(8) The Company shall provide audited financial statements for its parent, United Systems Access, Inc., to the Division of Economics and Finance no later than one (1) year from the effective date of USA Telecom's initial tariff in Virginia.

(9) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.